

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**RICHARD COHEN,**  
**Plaintiff,**

**CIVIL ACTION**

**v.**

**RETAIL, WHOLESALE AND  
DEPARTMENT STORE  
INTERNATIONAL UNION AND  
INDUSTRY PENSION PLAN AND  
TRUSTEES OF THE RETAIL,  
WHOLESALE AND DEPARTMENT  
STORE INTERNATIONAL UNION AND  
INDUSTRY PENSION PLAN,  
Defendants.**

**NO. 18-1430**

**ORDER**

**AND NOW**, this 3rd day of June, 2019, upon consideration of Defendants' Motion for Summary Judgment (ECF No. 25), it is hereby **ORDERED** that Defendants' Motion is **GRANTED IN PART AND DENIED IN PART** as follows:

1. Defendants' Motion for Summary Judgment as to Plaintiff's claim for early retirement benefits is **GRANTED**. Plaintiff's claim for early retirement benefits is **DISMISSED WITH PREJUDICE**.
2. Defendants' Motion for Summary Judgment as to Plaintiff's claim for normal retirement benefits is **GRANTED**. Plaintiff's claim for early retirement benefits is **DISMISSED WITH PREJUDICE**.
3. Defendants' Motion Summary Judgment as to Plaintiff's claim for a document penalty is **DENIED**.

**IT IS FURTHER ORDERED** that upon consideration of Plaintiff's Motion for Summary Judgment (ECF No. 26), it is hereby **ORDERED** that Plaintiff's Motion is

**GRANTED IN PART AND DENIED IN PART** as follows:

1. Plaintiff's Motion for Summary Judgment on his claim for early retirement benefits is **DENIED**.
2. Plaintiff's Motion for Summary Judgment on his claim for normal retirement benefits is **DENIED**.
3. Plaintiff's Motion for Summary Judgment on his claim for a document penalty is **GRANTED**. Defendant Board of Trustees of the Retail, Wholesale and Department Store International Union and Industry Benefit and Pension Plan shall pay a document penalty to Plaintiff in the amount of **\$16,700**.

**BY THE COURT:**

**/s/Wendy Beetlestone, J.**

---

**WENDY BEETLESTONE, J.**